

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

CHARLIE L. SCRUGGS

§

VS.

§

CIVIL ACTION NO. 1:07cv123

CHARLES WILSON

§

MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING  
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Charlie L. Scruggs, proceeding *pro se*, filed the above-styled civil rights lawsuit pursuant to 42 U.S.C. § 1983. The court previously referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge for consideration pursuant to 28 U.S.C. § 636.

The defendant has filed a motion seeking judgment on the pleadings. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge concerning the motion. The magistrate judge recommends the motion be granted. The magistrate judge further recommends that, to the extent plaintiff may be attempting to assert a state law claim of medical practice, the court decline to exercise supplemental jurisdiction over such claim.

The court has received and considered the Report and Recommendation of United States Magistrate Judge. Plaintiff filed objections to the Report and Recommendation.

The court has conducted a *de novo* review of the objections. After careful consideration, the court is of the opinion the objections are without merit. Plaintiff's allegations, accepted as true, fail to demonstrate the defendant acted with deliberate indifference to his serious medical needs.

ORDER

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is

**ADOPTED.** The defendant's motion for judgment on the pleadings is **GRANTED**. A final judgment shall be entered.

So **ORDERED** and **SIGNED** this **17** day of **January, 2008**.

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

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Ron Clark, United States District Judge